

CITY COUNCIL, CITY OF LODI
LODI PUBLIC LIBRARY, COMMUNITY ROOM
TUESDAY, MARCH 11, 1980

An adjourned regular meeting of the City Council of the City of Lodi was held beginning at 7:30 p.m., Tuesday, March 11, 1980 in the Lodi Public Library, Community Room, 201 W. Locust Street, Lodi.

The City Clerk recorded roll as follows:

[illegible]

Absent: Councilmen - Katzakian (Mayor)

Also

Present: City Manager Graves, Assistant City Manager Glenn, Public Works Director Ronsko, Community Development Director Schroeder, City Attorney Stein, and City Clerk Reimche

Procedural information concerning the matters to be heard before the Council at this meeting was outlined in detail by City Attorney Stein.

PUBLIC
HEARINGS

Notice thereof having been published in accordance with law and affidavits of publication being on file in the office of the City Clerk, Mayor Pro Tempore Katnich called for the Public Hearing to consider the City Planning Commission's recommendation that the City Council certify as adequate the Iris Drive and Vine Street Final Environmental Impact Report No. EIR-79-4.

The matter was introduced by Community Development Director Schroeder who also presented diagrams of the subject area for Council's perusal.

Copies of the subject Environmental Impact Report had been provided to the members of the City Council sometime ago to allow sufficient time for study and evaluation of the documents by the City Council.

David Morimoto, Assistant Planner, Community Development Department gave an indepth report on the matter, which in part included the following information:

IRIS DRIVE-VINE
STREET ENVIRON-
MENTAL IMPACT
REPORT CERTIFIED
AS ADEQUATE

DESCRIPTION OF PROJECT AND LOCATION

The projects are located off of Ham Lane at 1438 Iris Drive (Parcel 1), 1430 Iris Drive (033-040-15), and 1000 W. Vine Street (031-130-04). The projects are being included in a single EIR because of their proximity to one another and the similarity of the environmental setting.

Parcel 1, applicant Jerry Cox, is currently zoned R-1, residential single-family. He is requesting a rezoning to R-GA, residential-garden apartments to permit construction of an 11-unit condominium project. R-GA zoning permits a maximum residential density of 20 units per acre.

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Parcel 2, applicant Shirley Lucchesi, is currently zoned R-1, residential single-family. She is requesting a rezoning to R-C-P residential-commercial-professional to permit construction of a professional office building. The R-C-P zoning permits commercial professional buildings and residential development with a maximum density of 10 units per acre.

Parcel 3, applicant Dr. Swanson, is currently zoned R-1, residential single-family. He is requesting a rezoning to R-C-P, residential-commercial-professional to permit construction of a parking lot for the adjacent professional office building. The R-CP zoning would permit commercial professional building and residential development at a maximum of 10 units per acre.

ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

An increase in allowable development density will result in more people and vehicular traffic. Allowable residential density for R-1 zoning is approximately 4 units per acre. For R-CP zoning the maximum allowable density is 10 units per acre. For R-GA zoning the maximum density is 20 units per acre. Additionally, R-CP zoning permits office and institutional uses.

The increase in development density will also increase the number of persons per acre. The existing R-1 zoning could yield approximately 12 persons per acre. The R-CP zoning could yield 20 persons per acre and the R-GA zoning 30-40 persons per acre.

A non-residential R-CP use would result in more people but they would be present only during business hours.

Vehicular traffic could also increase as the allowable density increases. For a residential use, the number of vehicular trips per day would range from approximately 36 trip ends per acre for R-1 zoning to 100 trip ends per acre for R-GA zoning. An R-CP zoning office use could generate approximately 300 trip ends per acre, however, this traffic would probably be limited to daytime business hours.

There would also be some impact on the general character of the neighborhood. The proposed changes would result in either a non-residential commercial-professional use or a somewhat higher density residential use. Both would be different from the existing single family uses existing on the parcels and in portions of the surrounding area.

MITIGATING MEASURES

Good design of the structure and attention to the layout of the site can reduce the impact on the surrounding area. Keeping the height and scale of the structures similar to the surrounding houses will help, as would landscaping, fencing, etc.

ALTERNATIVES

A "no change" alternative would keep the zoning as it is and maintain the existing single family dwellings. There would be no impacts from this alternative.

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Some type of subdivision layout is possible with parcel 1 and 2. A subdivision would probably require that the two parcels be developed jointly so that a street could be constructed. An R-2 layout could yield 8 to 10 lots including 2 corner duplex lots.

An R-LD subdivision could yield approximately 8 lots. In an R-LD subdivision, one-half of the lots could have a duplex, triplex, or fourplex if they meet the minimum lot size. The remaining lots must be single-family.

The fourth alternative is a P-D, planned development. This would also require the lots to be combined. This would permit some type of residential project with a density not in excess of 12.5 units per acre. Any project built in a P-D zone would require specific City approval.

Parcel 3, because of its small size, could only have a "no change" alternative or an R-GA alternative.

GROWTH-INDUCING IMPACTS

Because the area is already developed or is undergoing development the proposed projects will have little growth-inducing impact on the surrounding area.

Speaking in support of the subject EIR was:

a) Dr. McAllister who represented Dr. Swanson in this matter. Dr. McAllister gave his address as 1000 W. Vine Street, Lodi.

Speaking in opposition to the matter was:

a) Mr. Reid Cerney, 900 W. Vine Street, Lodi.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

Following review, evaluation, and discussion regarding the subject environmental document, Council, on motion of Councilman Hughes, Pinkerton second, certified as adequate the Iris Drive and Vine Street Final Environmental Impact Report No. EIR-79-4. The motion carried by the following vote:

SOUTHEAST LODI FINAL ENVIRON- MENTAL IMPACT REPORT CERTIFIED AS ADEQUATE	Ayes:	Councilmen - Hughes, McCarty, Pinkerton and Katnich
	Noes:	Councilmen - None
	Absent:	Councilmen - Katzakian

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Pro Tempore Katnich called for the Public Hearing to consider the City Planning Commission's recommendation that the City Council certify as adequate the southeast Lodi Final Environmental Impact Report No. EIR-79-3.

The matter was introduced by Community Development Director Schroeder who presented diagrams of the subject area for Council's perusal.

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Copies of the subject Environmental Impact Report had been provided to the members of the City Council sometime ago to allow sufficient time for study and evaluation of the documents by the City Council.

City Clerk Reimche apprised the Council that a letter had been received from Mr. Richard N. Young and Robert C. Evans, the general partners of Lodi Associates, the owners of the "Evans" parcel request that the appeal for the subject property (Agenda items 4.c.3 and 4.i) be removed from the agenda and not considered by the City Council.

David Morimoto, Assistant Planner, Community Development Department gave an indepth report on the matter, which in part included the following information.

ENVIRONMENTAL IMPACTS

A. Evans Parcel

The Evans parcel is proposed for 110 residential units. The 5.6 acre parcel has been developed as a commercial recreational use and is not in agricultural production.

The impact of the 110 unit project will be an increase in residential density, an increase in vehicular traffic and a possible impact on the school population.

The project will double the density currently permitted under the General Plan. The General Plan now permits a maximum of 10 units per acre, the request is for a project and zoning at 20 units per acre. The result will be a doubling in the number of units and a probable increase in the number of persons residing in the project. The project could house between 150 and 200 persons.

The increased density will also increase vehicular traffic. Based on 6 trip ends per unit per day, the project could generate approximately 660 trip ends per day.

Finally, the project could add additional children to the Lodi Unified School District student population. The LUSD is currently experiencing problems of overcrowding and the project could add approximately 30-50 additional students.

B. Johnson Ranch - Commercial Portion

The Johnson Ranch project will result in the removal of 7½ acres of prime agricultural soil from further agricultural use. The soil type is particularly well suited for the cultivation of grape vineyards. Development will require the removal of the vineyards and the construction of structures, thereby terminating further use of the land for agriculture.

The approximately 7 acres of proposed commercial zoning will significantly intensify the permitted use of the property. Current General Plan designation permits residential uses at a maximum density of 10 units per acre. A commercial designation will permit most types of retail and service commercial uses.

The increased activity will result in additional vehicular traffic. The 7 acres of commercial use could generate approximately 1500 vehicle trips per day. A low density residential use would only generate approximately 300-350 vehicle trips per day.

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C. Remaining Project Area

On the remaining area, the primary impact of a low density residential development would be the removal of the 231[±] acres of land from agricultural production. The area is made up of prime agricultural soil and is particularly well suited to the cultivation of grape vineyards. Development of the area for residential purposes will remove the soils from agricultural use.

As the area is developed, agricultural operations on adjacent parcels could be affected. The presence of residential dwelling next to agricultural properties could restrict normal farming operations such as spraying, harvesting, crop dusting, etc. The use of certain herbicides and pesticides could be curtailed adjacent to residential uses.

There will be a significant increase in the amount of vehicular traffic generated by the area if the 231[±] acres are developed in housing. Currently, traffic generated in the area is less than 2000 vehicle trips per day. If the entire area were developed, there could be approximately 12000 additional vehicular trips generated each day. This traffic would be spread throughout the project and would be carried by the major streets bordering the project area. They would produce levels that are substantially higher than traffic levels currently existing in the area.

The 1386[±] residential units could significantly add to the student population of the LUSD. Between 1396-2070 additional students could be added to the student population and could affect the already overcrowded school facilities. The student population would be generated over a number of years and would be gradual in nature.

D. General Impacts

Construction of residential units adjacent to major traffic lanes, particularly Cherokee Lane and Harney Lane, may subject dwelling to higher than acceptable noise levels. Noise contours adjacent to these two streets exceed recommended noise levels. Some noise reduction may be required.

The construction activity associated with development of the area will result in the temporary increase in dust and noise levels. The activity of earth moving equipment during the construction of streets and the laying of utility lines will generate noise and a probable increase in levels of dust. The construction of the actual structures will also produce noise from hammering, sawing and the use of construction equipment. These impacts will be temporary in nature.

MITIGATING MEASURES

If the area is developed in non-agricultural uses, there is no permanent mitigation for the loss of prime agricultural land. What can be done is to develop the land in an orderly manner in order to preserve the agricultural uses as long as possible. Since it is not likely that the entire area will be developed at once, development should occur in the northern half first then proceed south towards Harney Lane as the need arises.

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Currently the southern one-half of the project area is in Phase 3 of the City's residential phasing plan and therefore will not be allowed to develop immediately. All or most of the northern Phase 1 area should be developed before the south half is allowed to develop. This would allow agricultural use of the southern half and prevent premature urbanization.

Mitigation of the increased vehicular traffic can be handled by careful design of the street system. Major streets such as Cherokee Lane, Harney Lane, Stockton Street and Century Boulevard, should be designed to carry the major traffic volumes. Residential streets should be designed to limit through traffic and to provide for local, low-speed traffic.

Consideration should be given to promote alternatives to the car. Design of subdivisions should take into consideration future mass transit, such as buses. Suitable locations along major streets should be considered for future bus stops. Bicycle and pedestrian paths could also be included in the subdivision design. These could lead to a reduction in the ultimate number of vehicular trips.

The impact of higher residential densities on the Evans parcel and the commercial density on a portion of the Johnson Ranch parcel can be mitigated by proper design. On the Evans, 110 unit condominium project, placement and orientation of buildings can reduce the impact on adjacent single-family parcels. Maintaining adequate setbacks from property lines adjacent to existing dwellings can reduce visual and privacy problems. Orienting windows, particularly second-story windows, away from property lines will help. Screening with fencing or landscaping is also effective.

On the commercial acreage for Johnson Ranch, orienting the uses towards Cherokee Lane will reduce the impact on adjacent residential areas. Keeping the commercial traffic on Cherokee Lane and off of residential streets will help. Maintaining adequate setbacks, screening with fencing or landscaping and a good overall design will reduce possible impacts.

The impact of additional students entering the LUSD can be partially mitigated by the payment of the residential "bedroom fee". This is a special assessment placed on each new residential dwelling to help pay for temporary classroom facilities. While this will not solve the problem, it will help reduce the impact. Also, because the development of the area will take place over a number of years, some permanent solution may be found before full development of the area is achieved.

The impact of noise and dust during the construction process can be reduced by the use of careful construction techniques. Wetting down of the construction site will reduce dust problems on nearby vegetation and residence. Doing earthwork only during the periods of low wind conditions will also reduce dust.

The noise impact can be reduced by restricting the operation of high noise producing equipment to daylight hours.

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ALTERNATIVES

For the project area in general, a "no change" alternative would eliminate the previously mentioned impacts on the environment. A "no change" alternative would mean that there would be no zoning or general plan changes, and no construction of non-agricultural structures. The area would remain as it does now, an agricultural area with scattered residences.

Another alternative would be to maintain the existing low density general plan designation for the entire area. This would permit a maximum density of 10 units per acre over the entire area. This would not permit the Evans project at 20 units per acre or the 7 acres of commercial development on the Johnson Ranch property.

This alternative would not significantly reduce any of the environmental impacts of the original proposal. It would still lead to the urbanization of the agricultural land, increase vehicular traffic and population, and add to the student population of the LUSD.

The low density alternative would make the zoning and land use in the area more uniform, eliminating the medium density residential and commercial development. This may reduce somewhat the impact of development on existing residences in the area.

A third alternative would be for all or a portion of the area to be developed as a planned development. This would permit a mixture of residential uses, or even residential and commercial uses. Different densities and housing types could be provided and a maximum overall density of 10 units per acre could still be maintained. This would allow greater flexibility in design for both the developer and the City. A request has since been received that a portion of this property be designated Planned Development.

The environmental impacts of this project would be substantially the same as the original proposal.

UNAVOIDABLE AND IRREVERSIBLE IMPACTS

Removal of the existing vines and trees, and the replacement with urban structures and improvements is considered permanent and irreversible. While it is possible to remove all the improvements and return the land to agriculture, this is not a realistic likelihood.

GROWTH INDUCING IMPACT

The approval of development projects in the subject area will be a growth-inducing action. Currently there are few dwellings in the area and the majority of the land is used for agriculture. Once development begins and various parcels are developed, adjacent parcels will be more likely to also develop.

While the proposed projects and rezonings will be growth inducing, the area has been included in the City urban growth units for many years. The area is included in the City's General Plan and is

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designated for residential development. The City has planned their utility and street system to provide service to this area. Salas Basin-Park, the extension of Century Boulevard, and the construction of major storm drain and sanitary sewer lines are already planned or in place to serve this area. Portions of this area have been placed in Phase 1 for residential development, meaning that this area is suitable for immediate residential development.

Speaking in support of the subject EIR was:

a) Mr. Wayne Craig, 23160 Davis Road, Lodi

Speaking in opposition to the subject environmental document were:

a) Mr. Wilbert Ruhl, 3933 Almond Drive, Lodi

b) Michael Remy, Attorney-at-law, Reid, Samuel and Remy et al, 117 K Street, Sacramento

c) Ms. Barbara J. Lea, 4266 Almond Drive, Lodi

d) Mr. Fred Wilson, 4210 E. Almond Drive, Lodi

e) Ms. Mildred Bleak, 458 Almond Drive, Lodi

f) Mrs. Pat Blodgett, 13050 N. Highway 99, Lodi

g) Mr. Duane Jungeblut, San Joaquin Planning Commission

Mr. Constantine Baranoff, Facilities and Planning Coordinator, Lodi Unified District gave the following report on the District's reaction to proposals for new housing development which was adopted by consensus of the Governing Board on March 11, 1980:

Lodi Unified School District is experiencing an acute shortage of adequate school housing. The Declaration of Impaction prepared in July of 1979 continues to justify the need for local governmental agencies to levy the Development Fee. This fee has been withheld from the district by court action.

That Impaction statement identifies some five thousand pupils coming to the district that cannot be guaranteed housing. Additional developments, currently advanced for approval, will cause even greater problems.

There is no way that Lodi Unified School District or its constituents, by their own actions, can generate construction funds. The state has loaned the Lodi Unified School District 32 portable classrooms which will arrive for the school year 1980-81. The district will continue to pursue other funds if available from the state. However, the promise of such assistance is small to non-existent compared to the cost of meeting existing and projected housing inadequacies.

The district strongly requests that governmental agencies place a temporary hold on approving additional growth-inducing projects until the firm enactment of a procedure where land developers assume responsibility for the housing of the additional students their developments bring to the district.

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There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

Following review, evaluation, and discussion regarding the subject environmental documents, Council, on motion of Councilman McCarty, Hughes second, certified the Southeast Lodi Final Environmental Impact Report No. EIR 79-3 as adequate.

The motion carried by the following vote:

Ayes: Councilmen - Hughes, McCarty, and Katnich

Noes: Councilmen - Pinkerton

Absent: Councilmen - Katzakian

RECESS

Mayor Pro Tempore Katnich called for a five-minute recess, and the Council reconvened at approximately 9:25 p.m.

Notice thereof having been published in accordance with law and affidavits of publication being on file in the office of the City Clerk, Mayor Pro Tempore Katnich called for the Public Hearing to consider the amendment of the Land Use Element of the General Plan (i.e. GP-LU-80-1) which encompasses the following changes:

1. to designate the 3.86 acre parcel at 450 North Cherokee Lane as Medium Industrial;
2. to designate the frontage on the west side of South Cherokee Lane in the vicinity of Century Boulevard as "Commercial";
3. to designate the 5.46 acre parcel at the southwest corner at South Cherokee Lane and Almond Drive (i.e. 510 Almond Drive) as Medium Density Residential;
4. to designate the parcel at 1438 Iris Drive as Medium Density Residential;
5. to designate the parcel at 1000 West Vine Street as Office-Institutional;
6. to designate the parcel at 1430 Iris Drive as Office Institutional; and
7. to designate the parcel at 975 South Fairmont Avenue (Lodi Memorial Hospital) as Office-Institutional.

The matter was introduced by City Attorney Stein that each change encompassed in the heretofore listed proposed amendment of the Land Use Element of the General Plan should be heard and considered separately.

The proposed amendment of the Land Use Element of the General Plan to designate the 3.86 acre parcel at 450 North Cherokee Lane as Medium Industrial was introduced by Community Development Director Schroeder who presented diagrams of the subject area for Council's perusal and responded to questions regarding the matter as were posed by Council.

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Speaking in support of the proposed change (i.e. 1st segment of proposed amendment of Land Use Element of General Plan GP-LU-80-1) was:

a) Mr. Weldon Moss, 131 Benson Drive, Lodi

Speaking in opposition were:

a) Mr. James Baum, 1520 Edgewood Drive, Lodi

Mr. Baum presented a petition signed by approximately 40 persons stating, "We, the residents of 320 North Cherokee Lane would like the City Council to know that we are opposed to the rezoning of the property north of our homes. Most of us have lived here in excess of 10 years, and most of us are senior citizens who can not afford to relocate. We hope that you, the councilmen, will not further reduce our standard of living by rezoning this property just to enhance the profits of a few developers".

b) Ms. Rosalie Page, 320 N. Cherokee Lane, Lodi

There being no other persons wishing to address the Council on the matter, Mayor Pro Tempore Katnich closed the public portion of the hearing.

Council discussion followed with questions being directed to Staff regarding the square footage of allowable storage area under various types of zoning contained within the Municipal Code of the City of Lodi.

PROPOSAL TO DESIGNATE 3.86 ACRE PARCEL AT 450 NORTH CHERO- KEE LANE AS MEDIUM INDUSTRIAL DENIED	On motion of Councilman Pinkerton, Hughes second, Council denied the proposed amendment of the Land Use Element of the General Plan which encompassed the change to designate the 3.86 acre parcel at 450 North Cherokee Lane as Medium Industrial with instructions to the City Attorney to draft a proposed ordinance for Council consideration with appropriate zoning as it pertains to storage areas.
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The motion carried by the following vote:

Ayes: Councilmen - Hughes, McCarty, Pinkerton and Katnich

Noes: Councilmen - None

Absent: Councilmen - Katzakian

Because of the Council's action on this matter, Agenda item 4-d - "To consider the City Planning Commission's recommendation and certification of the filing of a negative declaration by the Community Development Director on the request of Mr. Weldon Moss to rezone the 3.86 acre parcel at 450 North Cherokee Lane from C-2, General Commercial to M-1, Light Industrial"

4-e "to consider the City Planning Commission's recommendation for the approval of the request of Mr. Weldon Moss to rezone the 3.86 acre parcel at 450 North Cherokee Lane from C-2, General Commercial to M-1, Light Industrial" and were pulled from the agenda.

The proposed amendment of the Land Use Element of the General Plan to designate the frontage on the west side of South Cherokee Lane in the vicinity of Century Boulevard as "Commercial" was introduced by

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PROPOSAL TO
DESIGNATE THE
FRONTAGE ON THE
WEST SIDE OF
SOUTH CHEROKEE
LANE IN VICINITY
OF CENTURY BLVD
AS "COMMERCIAL"
APPROVED

Community Development Director Schroeder who presented diagrams of the subject area for Council's perusal and responded to questions regarding the matter as were posed by the Council.

Speaking in support of the proposed change (i.e. 2nd segment of amendment of the Land Use Element of the General Plan) was:

a) Mr. Wayne Craig, 23160 Davis Road, Lodi

Speaking in opposition was:

a) Ms. Barbara J. Lea, 4266 Almond Drive, Lodi

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

On motion of Councilman Hughes, McCarty second, Council approved the amendment of the Land Use Element of the General Plan which encompasses the change to designate the frontage on the west side of South Cherokee Lane in the vicinity of Century Boulevard as "Commercial" with the following findings.

FINDINGS OF APPROVAL FOR JOHNSON RANCH COMMERCIAL GENERAL PLAN AMENDMENT AND COMMERCIAL DESIGNATION WITHIN THE PD ZONE, FRONTING ON CHEROKEE LANE, FROM LOW DENSITY RESIDENTIAL TO COMMERCIAL SOUTH-EAST LODI EIR

Approval of the Project with the following findings:

1. that there is a need for additional commercial development along Cherokee Lane and/or a need for commercial land to serve the existing and proposed residential neighborhoods;
2. that the designation of additional commercial area is consistent with City policy regarding commercial development;
3. that the adverse impact of the loss of agricultural land is overridden by the following considerations:
 - the area has been designated for urban development;
 - there has been a significant expenditure of public funds to install public improvements;
 - all urban growth areas around Lodi are prime agricultural land;
 - all major parcels planned for residential development, within the City limits, are currently being developed;
4. that Century Boulevard and Cherokee Lane adequately meet the traffic demands generated by the proposed commercial area;
5. that the adverse impact of increased vehicle emissions is partially mitigated by increasingly stringent vehicle emission standards and the adopted Air Quality Maintenance Plan.
6. that the adverse impacts of construction activities are temporary, and will be partially mitigated by noise emission controls, sprinkling etc.

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7. that highway noises in the area will be diminished because of the buffer which will be created by the commercial development.
8. that school impactation in this particular area should be partially mitigated by this commercial development.

The motion carried by the following vote:

Ayes: Councilmen - Hughes, McCarty, Pinkerton and Katnich
 Noes: Councilmen - None
 Absent: Councilmen - Katzakian

AGENDA ITEM
 PULLED

At the request of Richard N. Young and Robert C. Evans, the general partners of Lodi Associates, the owners of the "Evans" parcel, Agenda item 4-c-3 entitled - "To consider the amendment of the Land Use Element of the General Plan which encompasses the following change - "to designate the 5.46 acre parcel at the southwest corner at South Cherokee Lane and Almond Drive (i.e. 510 Almond Drive) as Medium Density Residential" was removed from the agenda.

Because of the request of Mr. Young and Mr. Evans, Agenda item 4-d-1 entitled, "To consider the appeal of Mr. Robert Evans of the Lodi Planning Commission's denial of the proposed General Plan amendment to designate 510 Almond Drive, Lodi as Medium Density Residential and rezone said parcel from U-H, Unclassified Holding to R-GA, Garden Apartment Residential" was also pulled.

PROPOSAL TO
 DESIGNATE PARCEL
 AT 1438 IRIS
 DRIVE AS MEDIUM
 DENSITY RESIDEN-
 TIAL DENIED

The proposed amendment of the Land Use Element of the General Plan to designate the parcel at 1438 Iris Drive as Medium Density Residential was introduced by Community Development Director Schroeder who presented diagrams of the subject area for Council's perusal and responded to questions regarding the matter as were posed by Council.

Speaking in support of the proposed change (i.e. 4th segment of proposed amendment of Land Use Element of General Plan GP-LU-80-1) were:

- a) Gary Cathcart, 836 E. Weber Ave., Stockton
- b) Jerry Cox, 514 S. Central, Lodi

Speaking in opposition to the matter were:

- a) Carl Gibson, 1443 Iris Drive, Lodi
- b) Lloyd Mitchel, 1451 Vista Drive, Lodi
- c) Mrs. Martha Kayl, 1517 Iris Drive, Lodi
- d) Mr. Clifford Hall, 1401 Vista Drive, Lodi
- e) D. L. Flynn, 1513 Vista Drive, Lodi
- f) Tommy Johnson, 1508 Keagle Way, Lodi

City Clerk Reimche presented numerous pieces of correspondence which had been received in opposition

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to this matter including a petition signed by approximately 90 persons stating, "We, the below signed residents of Lodi, do object to, and strenuously oppose, the rezoning of the above captioned property from the present R-1 zone to any other zone."

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Following Council discussion on the matter, Council, on motion of Councilman McCarty, Pinkerton second, denied the proposed amendment of the Land Use Element of the General Plan which encompassed the change to designate the parcel at 1438 Iris Drive as Medium Density.

The motion carried by the following vote:

Ayes: Councilmen - McCarty, Pinkerton, Katnich

Noes: Councilmen - Hughes

Absent: Councilmen - Kazakian

Because of the Council's action on this matter, Agenda item 4-d-j, entitled, "To consider the appeal of Mr. Jerry D. Cox of the Lodi Planning Commission's denial of the proposed General Plan amendment to designate 1438 Iris Drive, Lodi, as Medium Density Residential and to rezone said parcel from R-1, Single-Family-Residential to R-GA, Residence District Garden Apartment" was pulled from the agenda.

The proposed amendment of the Land Use Element of the General Plan to designate the parcel at 1430 Iris Drive as "Office-Institutional" was introduced by Community Development Director Schroeder, who presented diagrams of the subject area for Council's perusal and responded to questions regarding the matter as were posed by Council.

Speaking in support of the proposed change (i.e. 5th segment of proposed amendment of Land Use Element of General Plan GP-LU-80-1 were:

PROPOSAL TO
DESIGNATE THE
PARCEL AT 1430
IRIS DRIVE AS
OFFICE-INSTITU-
TIONAL
DENIED

- a) Dr. Clifford Kerr, 840 S. Fairmont Ave., Lodi
- b) Dr. James McFarland, 755 S. Fairmont Ave., Lodi
- c) Mr. Lawrence Perry, 1225 E. Acampo Road, Lodi

Speaking in opposition to the matter were:

- a) Carl Gibson, 1443 Iris Drive, Lodi
- b) Martha Kayl, 1517 Iris Drive, Lodi
- c) D. L. Flynn, 1513 Vista Drive, Lodi

City Clerk Reimche presented numerous pieces of correspondence which had been received in opposition to this matter including a petition signed by approximately 70 persons stating, "We, the below signed residents of Lodi, do object to, and strenuously oppose, the rezoning of the above-captioned property from the present R-1 zone to any other zone", also City Clerk Reimche presented

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a petition signed by approximately 21 persons supporting the proposal, stating, "We, the undersigned residents, request that the Lodi City Council approve the zone change from R to RCP for the Lucchessi Lot at 1430 Iris. This is so that a Medical-Dental Office Complex could be constructed."

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Following discussion on the matter, Council, on motion of Councilman McCarty, Pinkerton second, denied the proposed amendment of the Land Use Element of the General Plan which encompassed the change to designate the parcel at 1430 Iris Drive as Office-Institutional.

The motion carried by the following vote:

Ayes: Councilmen - McCarty and Pinkerton

Noes: Councilmen - Hughes and Katnich

Absent: Councilmen - Katzakian

On motion of Councilman Hughes, Katnich second, this matter was referred to the Planning Commission for consideration and recommendation as to how this parcel could be properly developed. The motion carried by unanimous vote.

Because of the Council's denial on this matter, Agenda item 4-d-k entitled, "To consider the appeal of Mrs. Shirley Lucchesi, Realtor, of the Planning Commission's denial of the proposed General Plan amendment to designate the one acre parcel at 1430 Iris Drive, Lodi, as Office-Institutional and to rezone said parcel from R-1, Single Family Residential to R-C-P, Residential-Commercial-Professional" was pulled from the agenda.

PROPOSAL TO
DESIGNATE THE
PARCEL AT 1000
WEST VINE STREET
AS "OFFICE-
INSTITUTIONAL"
APPROVED

The proposed amendment of the Land Use Element of the General Plan to designate the parcel at 1000 West Vine Street as Office-Institutional was introduced by Community Development Director Schroeder, who presented diagrams of the subject area for Council's perusal and responded to questions regarding the matter as were posed by the Council.

The following persons spoke in support of the matter:

a) Dr. Jack Gilliland, 930 Tara Place, Lodi

There were no persons in the audience wishing to speak in opposition.

City Clerk Reimche apprised the Council that a petition bearing 7 signatures stating, "We, the below signed residents of Lodi, do object to, and strenuously oppose, the rezoning of the above captioned property from the present R-1 zone to any other zone" had been received and subsequently a request was received to withdraw it.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

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On motion of Councilman Hughes, Pinkerton second, Council approved the amendment of the Land Use Element of the General Plan which encompasses the change to designate the parcel at 1000 West Vine Street as Office-Institutional with the following findings:

1. that there is a need for additional commercial-professional land in this area;
2. that the design and layout of a specific commercial-professional project or residential project, use will partially mitigate the adverse impacts associated with the change in neighborhood character;
3. that the adverse impact of increased vehicular traffic and subsequent emissions is considered negligible;
4. that the increased traffic on Vine Street is partially mitigated by the fact that Vine Street connects with Ham Lane, a four lane arterial, immediately west of the subject parcel;
5. that the adverse impact of increased residential densities and subsequent population increases, including school-age children, is partially mitigated by the bedroom tax. An over-riding consideration is the fact that school overcrowding is a district-wide problem, which must be addressed primarily at the State level.

The motion carried by the following vote:

Ayes: Councilmen - Hughes, McCarty, Pinkerton and Katnich

Noes: Councilmen - None

Absent: Councilmen - Katzakian

The proposed amendment of the Land Use Element of the General Plan to designate the parcel at 975 South Fairmont Avenue, (Lodi Memorial Hospital) as "Office-Institutional" was introduced by Community Development Director Schroeder, who presented diagrams of the subject area for Council's perusal and responded to questions regarding the matter as were posed by Council.

PROPOSAL TO
DESIGNATE PARCEL
AT 975 S. FAIRMONT
AVE. AS "OFFICE-
INSTITUTIONAL"

There were no persons wishing to speak either in favor or in opposition to the matter and the public portion of the hearing was closed.

City Clerk Reimche indicated that no correspondence had been received concerning the matter.

Following discussion, on motion of Councilman Pinkerton, Hughes second, Council approved the amendment of the Land Use Element of the General Plan which encompassed the change to designate the parcel at 975 South Fairmont Avenue, Lodi (Lodi Memorial Hospital) as "Office Institutional" with the following findings:

1. that the proposed Residential-Commercial-Professional designation is consistent with the existing and planned land use of the subject parcels and the surrounding area;

March 11, 1980 continued

2. that the R-HD zone was originally applied to permit 3-story construction. Hospitals are exempt from the height limitations set forth in the City zoning code.
3. R-C-P will facilitate expansion of the hospital and development of its undeveloped land for commercial/professional purposes, consistent with the hospital's adopted plans.

The motion carried by the following vote:

Ayes: Councilmen - Hughes, Katnich, McCarty and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - Katzakian

ORD. NO. 1191
INTRO. ORD.
AMENDING THE LAND
USE ELEMENT OF
THE GENERAL PLAN
ENCOMPASSING
THREE CHANGES

Mayor Pro Tempore Katnich then moved for introduction of Ordinance No. 1191 - An Ordinance amending the Land Use Element of the General Plan (i.e. GP-LU-80-1) which encompasses the following changes:

- 1) Designating the frontage on the west side of South Cherokee Lane in the vicinity of Century Boulevard as "Commercial".
- 2) Designating the parcel at 1000 West Vine Street, Lodi as "Office-Institutional"; and
- 3) Designating the parcel at 975 South Fairmont Ave., Lodi (Lodi Memorial Hospital) as "Office-Institutional"

The motion was seconded by Councilman Pinkerton and carried by the following vote:

Ayes: Councilmen - Hughes, McCarty, Pinkerton and Katnich

Noes: Councilmen - None

Absent: Councilmen - Katzakian

ORD. AMENDING &
PREZONING SECTION
NOTED "COMMERCIAL"
IN JOHNSON RANCH
REORGANIZATION
PROPOSED FOR PD 19
TO CONFORM TO C-S
ZONING

Agenda item "4-f" entitled, "To consider the appeal of Genie Development, Inc. of the Lodi Planning Commission' denial of the proposed General Plan amendment and pre-NOTED "COMMERCIAL" zoning of the section noted 'Commercial' in the John-IN JOHNSON RANCH son Ranch Reorganization proposed for Planned Development District No. 19 (PD 19)" was introduced by Community Development Director Schroeder. Mr. Schroeder presented TO CONFORM TO C-S diagrams of the subject area for Council's perusal.

ORD. NO. 1192
INTRO.

The following person spoke in favor of the proposed prezoning:

- a) Mr. Wayne Craig, 23160 Davis Road, Lodi

The following persons spoke in opposition to the proposed prezoning:

- a) Ms. Barbara J. Lea, 4266 Almond Drive, Lodi
- b) Mr. Wilbert Ruhl, 3933 Almond Drive, Lodi
- c) Mrs. Pat Blodgett, 13050 N. Highway 99, Lodi

March 11, 1980 continued

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Council discussion followed with questions being posed to Staff and to persons giving testimony.

Councilman Hughes then moved introduction of Ordinance No. 1192 An Ordinance rezoning the section noted as "Commercial" in the Johnson Ranch Reorganization proposed for Planned Development District NO. 19 (PD 19) to conform to C-S zoning (Commercial, Shopping District) with the following findings:

1. that there is a need for additional commercial development along Cherokee Lane and/or a need for commercial land to serve the existing and proposed residential neighborhoods;
2. that the designation of additional commercial area is consistent with City policy regarding commercial development;
3. that the adverse impact of the loss of agricultural land is overridden by the following social and economic considerations:
 - the area has been designated for urban development;
 - there has been a significant expenditure of public funds to install public improvements;
 - all urban growth areas around Lodi are prime agricultural land;
 - all major parcels planned for residential development, within the City limits, are currently being developed;
4. that Century Boulevard and Cherokee Lane adequately meet the traffic demands generated by the proposed commercial area;
5. that the adverse impact of increased vehicle emissions is partially mitigated by increasingly stringent vehicle emission standards and the adopted Air Quality Maintenance Plan.
6. that the adverse impacts of construction activities are temporary, and will be partially mitigated by noise emission controls, sprinkling, etc.
7. that highway noises in the area will be diminished because of the buffer which will be created by the commercial development.
8. that school impaction in the particular area should be partially mitigated by this commercial development.

The motion was seconded by Councilman McCarty and carried by the following vote:

Ayes:	Councilmen - Hughes, McCarty, Pinkerton and Katnich
Noes:	Councilmen - None
Absent:	Councilmen - Katzakian

March 11, 1980 continued

Agenda items "4-g" and "h" as follows were introduced by Community Development Director Schroeder. Mr. Schroeder presented diagrams of the subject areas for Council's perusal and responded to questions regarding the matters as were directed by the City Council:

ORD. NO. 1193
INTRO. PREZONING
JOHNSON RANCH
REORGANIZATION
EXCEPT FOR
EASTERLY 300 FEET
AND THE TANDY
RANCH REORGANIZA-
TION TO P-D 19
FOR RESIDENTIAL
USES CONSISTENT
WITH THE GENERAL
PLAN

Item "4-g" - To consider the City Planning Commission's recommendation for approval of the request of Genie Development, Inc. on behalf of Ms. Mary Johnson to prezone the Johnson Ranch Reorganization except for the easterly 300 feet which is located on the west side of South Cherokee Lane, north and south of the future extension of Century Boulevard to P-D (19), Planned Development District No. 19 for Residential use consistent with the General Plan.

Item "4-h" - To consider the City Planning Commission's recommendation for approval of the request of Genie Development, Inc. on behalf of Ms. Clarice Tandy, et al to prezone the Tandy Ranch Reorganization which is located on the south side of Almond Drive, westerly of South Cherokee Lane to P-D (19), Planned Development District No. 19 for residential uses consistent with the General Plan.

The following persons spoke in favor of the proposed prezonings under both items:

- a) Mr. Wayne Craig, 23160 Davis Road, Lodi
- b) Mr. C. M. Sullivan, 1819 Edgewood Drive, Lodi

Speaking in opposition to both matters were the following:

- a) Mr. Wilbert Ruhl, 3933 Almond Drive, Lodi
- b) Mrs. Pat Blodgett, 13050 N. Highway 99, Lodi
- c) Mr. Fred Wilson, 4210 E. Almond Drive, Lodi

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

City Clerk Reimche apprised the City Council that a valid petition had been received opposing the proposed prezonings as heretofore listed and that pursuant to Section 27-19(e) of the City Code of the City of Lodi that a 4/5 vote of the Council would be required for passage of the proposed prezonings.

Following discussion, Councilman McCarty moved for introduction of Ord. No. 1193 - Ordinance pre zoning the Johnson Ranch Reorgnaization except for the easterly 300 feet which is located on the west side of South Cherokee Lane, Lodi, north and south of future extension of Century Boulevard to P-D (19), Planned Development District No. 19 for residential use consistent with the General Plan and pre zoning the Tandy Ranch Reorganization which is located on the south side of Almond Drive, Lodi, westerly of South Cherokee Lane to P-D (19), Planned Development District No. 19 for residential uses consistent with the General Plan with the following findings:

1. that the proposed rezoning is consistent with the City General Plan;

March 11, 1980 continued

2. that the adverse impact of the loss of agricultural land is overridden by the following considerations:
 - the area has been designated for urban development;
 - there has been a significant expenditure of public funds to install public improvements;
 - all urban growth areas around Lodi are prime agricultural land;
 - all major parcels planned for residential development, within the City limits, are currently being developed.
3. that Century Boulevard and Cherokee Lane adequately meet the traffic demands generated by the proposed rezonings;
4. that the adverse impact of increased vehicle emissions is partially mitigated by increasingly stringent vehicle emission standards and the adopted Air Quality Maintenance Plan.
5. that the adverse impacts of construction activities are temporary and will be partially mitigated by noise emission controls, sprinkling, etc.
6. that the adverse impact of increased residential densities and subsequent population increases, including school-age children, is partially mitigated by the bedroom tax. An over-riding consideration is the fact that school overcrowding is a district-wide problem, which must be addressed primarily at the state level.
7. that noise impacts on residential units along Century Boulevard will be mitigated through the use of structural sound-proofing and or sight design.

The motion was seconded by Councilman Hughes and carried by the following vote:

Ayes: Councilmen - Hughes, McCarty, Pinkerton and Katnich

Noes: Councilmen - None

Absent: Councilmen - Katzakian

ORD. NO. 1194
INTRO. REZONING
975 SOUTH FAIRMONT
AVENUE FROM R-HD
TO R-C-P

Agenda item "1" - To consider the City Planning Commission's recommendation for the approval of the request of Mr. Richard Sandford, Administrator on behalf of Lodi Memorial Hospital to rezone the existing hospital property at 975 South Fairmont Avenue, Lodi from R-HD, High Density Multiple Family Residential to R-C-P, Residential-Commercial-Professional was introduced by Community Development Director Schroeder. Mr. Schroeder presented a diagram of the subject area and responded to questions regarding the matter as were posed by the City Council.

March 11, 1980 continued

There were no persons in the audience wishing to speak either in favor or in opposition to the matter, and the public portion of the hearing was closed.

Councilman Hughes then moved for introduction of Ordinance No. 1194 An Ordinance Amending the Official District Map of the City of Lodi and thereby rezoning 975 South Fairmont Avenue, Lodi from R-HD, High Density Multiple Family Residential to R-C-P, Residential-Commercial-Professional with the following findings:

1. that the proposed Residential-Commercial-Professional designation is consistent with the existing and planned land use of the subject parcels and the surrounding area;
2. that the R-HD zone was originally applied to permit 3-story construction. Hospitals are exempt from the height limitations set forth in the City zoning code.
3. R-C-P will facilitate expansion of the hospital and development of its undeveloped land for commercial/professional purposes, consistent with the hospital's adopted plans.

The motion was seconded by Mayor Pro Tempore Katnich and carried by the following vote:

Ayes: Councilmen - Hughes, McCarty, Pinkerton and Katnich

Noes: Councilmen - None

Absent: Councilmen - Katzakian

ORD. NO. 1195
ORD. REZONING
PARCEL AT 1000
W. VINE STR.
FROM R-1 to RCP

Agenda item "m" - To consider the City Planning Commission's recommendation for the approval of Dr. Dennis R. Swanson, et al to rezone the parcel at 1000 West Vine Street from R-1, Single Family Residential to R-C-P, Residential-Commercial-Professional was introduced by Community Development Director Schroeder. Mr. Schroeder presented a diagram of the subject area and responded to questions regarding the matter as were posed by members of the City Council

There were no persons in the audience wishing to speak either in favor or in opposition to the matter, and the public portion of the hearing was closed.

Council discussion followed with questions being directed to Staff.

Mayor Pro Tempore Katnich then moved for introduction of Ordinance No. 1195, An Ordinance amending the Official District Map of the City of Lodi and thereby rezoning the parcel at 1000 West Vine Street, Lodi from R-1, Single Family Residential to R-C-P, Residential-Commercial-Professional, with the following findings:

1. that there is a need for additional commercial-professional land in this area and/or a need for increased residential densities in this location;
2. that the increased population and/or residential densities will not significantly alter the single-family character of the existing neighborhood;

March 11, 1980 continued

3. that the design and layout of a specific commercial-professional, or residential, use will partially mitigate the adverse impacts associated with the change in neighborhood character;
4. that the adverse impact of increased vehicular traffic and subsequent emissions is considered negligible;
5. that the increased traffic on Vine Street is partially mitigated by the fact that Vine Street connects with Ham Lane, a four lane arterial, immediately west of the subject parcel;
6. that the adverse impact of increased residential densities and subsequent population increases, including school-age children, is partially mitigated by the bedroom tax. An over-riding consideration is the fact that school over-crowding is a district-wide problem, which must be addressed primarily at the State level.

ORD. NO. 1195
INTRO. REZONING
PARCEL AT 1000
WEST VINE STR.
LODI FROM R-1
TO R-C-P

The motion was seconded by Councilman Hughes and carried by the following vote:

Ayes: Councilmen - Hughes, McCarty, Pinkerton
and Katnich

Noes: Councilmen - None

Absent: Councilmen - Katzakian

ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tempore Katnich adjourned the meeting at approximately 1:00 a.m., Wednesday March 12, 1980.

Attest: *Alice M. Reimche*
ALICE M. REIMCHE
CITY CLERK